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13 Attorneys for Defendant

14 ROWLAND MARCUS ANDRADE

15
16 **UNITED STATES DISTRICT COURT**

17 **NORTHERN DISTRICT OF CALIFORNIA**

18 **SAN FRANCISCO DIVISION**

19 UNITED STATES OF AMERICA,

20 Plaintiff,

21 v.

22 ROWLAND MARCUS ANDRADE,

23 Defendant.

Case No. 3:20-cr-00249-RS-LBx

**PROOF OF SERVICE BY EMAIL OF
SUBPOENA FOR ALEXANDER LEVIN**

Judge: Hon. Laurel Beeler

Hearing: September 12, 2024, 10:30 a.m.

1 Kerrie C. Dent, counsel for Defendant Marcus Andrade, states as follows:

2 1. I am one of the lawyers representing Defendant Marcus Andrade in the above-
3 captioned matter. I have personal knowledge of the discovery disputes and related correspondence
4 between the government and defense counsel relating to the multiple requests and ongoing litigation
5 surrounding Mr. Andrade's requests for production of Alexander Levin's iPhone and iPad and, if
6 called as a witness in this matter, could competently testify to the matters stated in this Declaration.

7 2. I am filing this declaration as Proof of Service of a subpoena to Alexander Levin, as
8 required by the Court's September 2, 2024, discovery order, which states in part as follows: "If the
9 defendants have Mr. Levin's email, then they must email the subpoena, the court's orders on this
10 issue (including this order), and notice of the hearing date and time (including the Zoom
11 information that will allow him to connect remotely because the court has authorized a hybrid
12 proceeding). Then, they must file proof of service on the docket (including a representation, if it is
13 accurate, that the email did not bounce back)." Discovery Order, Dkt. #347 at 4:7-12 (Sept. 2,
14 2024).

15 3. On September 3, 2024, Judge Seeborg issued an updated subpoena for Alexander
16 Levin, and I served the subpoena by email to an email address we found in discovery. In addition to
17 the subpoena, I attached to my email copies of the Court's August 1, 2024 and September 2, 2024
18 discovery prders. I copied Mr. Levin's former counsel, Sean Buckley, on the email. The email did
19 not bounce back.

20 4. On September 4, 2024, I emailed Mr. Levin (at the same email address) to inform
21 him of the September 12 Hearing, and I provided him with the zoom information for the hearing,
22 which is also set forth in the Court's September 2 Order. In this email, I also notified Mr. Levin that
23 the subpoena served on September 3 contained an error. I copied Mr. Buckley on this email. The
24 email did not bounce back.

25 5. On September 4, a few hours later, the Court re-issued the subpoena for Mr. Levin
26 without the error. I served the corrected subpoena by email to the same email address. I again
27 attached to my email copies of the Court's August 1 and September 2 discovery orders, and I
28

1 reminded Mr. Levin of the September 12 hearing. I copied Mr. Levin's former counsel, Sean
2 Buckley, on the email. The email did not bounce back.

3 6. In sum, Mr. Levin has been served with a subpoena for his devices. I have sent him
4 three emails, and they have not bounced back.

5 I declare under penalty of perjury that the foregoing is true and correct, and that this
6 declaration was executed on September 4, 2024 in McLean, Virginia.

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8 /s/ Kerrie C. Dent
9 KERRIE C. DENT
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